IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.10950 of 2004

Between:
R. Laxminarayana Raju,
S/o.Late Venkata Narasa Raju,
R/o Dammapeta(M), Khammam District. **..... PETITIONER**

AND

1.State of A.P.,
rep by Principal Secretary to
Government of A.P., Education Dept.,
Secretariat, Hyderabad
2.Commissioner of
Director of School Education,
A.P., Saifabad, Hyderabad
3.District Education Officer,
Khammam District, Khammam**.** **....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ order or direction, more particulars a Writ in the nature of Writ of Mandamus declaring that the correct DOB of the Writ Petitioner is 01-01-1949, as per earlier entered in the admission register of Primary School at Nelligonda, Khammam but not 06-06-1946, which is wholly erroneous and fictitious, as entered in the subsequent records, and consequently directing the respondents to take necessary action to restore the correct DOB of the petitioner as 01-01-1949 in all the relevant records for all purposes expeditiously set a side order in O.A. 3042/04 on the file of APAT.

For the Petitioner: MR.T.L.N.CHARY, Advocate.

For the Respondents: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following :

ORDER: (PER SRI BN, J)

The petitioner entered into service in the year 1977. Till the year 1997, he never agitated that his date of birth was wrongly entered. His school certificate i.e., SSLC certificate and his service record reveal that he was born on 06-06-1946. Now, a few months earlier to his retirement, he approached the Tribunal for correction of his date of birth. The law is well settled that these matters cannot be entertained by Courts particularly at the fag end of the service. In view of the A.P.Employment (Recording and Alteration of Date of Birth) Rules, 1984, a dispute with regard to the age as entered into the service record, cannot be entertained at this stage.

Writ Petition is misconceived and is accordingly dismissed. No costs.

(Bilal Nazki, J)

30th June, 2004

(P.S.Narayana, J)

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To

1.The Principal Secretary,
Government of A.P., Education Dept.,
Secretariat, Hyderabad

2.The Commissioner of
Director of School Education,
A.P., Saifabad, Hyderabad
3.The District Education Officer,
Khammam District, Khammam.
4.Two CCs to the Govt. Pleader for School Education,
High Court Buildings, Hyderabad (O.U.T)
5.Two CD copies